UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21500
13 August 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 11 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF QATAR TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of the resolution adopted by the Extraordinary Arab Summit Conference held at Cairo on 10 August 1990.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Muhammad Hassan Ali Hussain AL-NI'MAH
Permanent Representative
Chairman of the Arab Group

best copy available

Annex

Resolution adopted by the Extraordinary Arab Summit Conference held at Cairo on 9 and 10 August 1990

The Extraordinary Arab Summit Conference, meeting at Cairo, Arab Republic of Egypt, on 9 and 10 August 1990,

Taking note of the report of the Council of the League of Arab States on its extraordinary session held at Cairo on 2 and 3 August 1990,

Taking note of the communiqué of the Nineteenth Conference of Islamic Foreign Ministers, issued at Cairo on 4 August 1990,

On the basis of the provisions of the Pact of the League of Arab States and the Joint Defence and Economic Co-operation Treaty between the States of the Arab League,

On the basis of the Charter of the United Nations and, in particular, Article 2, paragraph 4, and Articles 25 and 51,

Aware of the momentous historical responsibility imposed upon it by the difficult circumstances arising out of the Iraqi invasion of Kuwait with its grave repercussions for the Arab world, pan-Arab national security and the higher interests of the Arab nation,

DECIDES

1. To reaffirm the resolution of the Council of the League of Arab States adopted on 3 August 1990 and the communiqué of the Organization of the Islamic Conference issued on 4 August 1990;

2. To reaffirm its commitment to Security Council resolutions 660 (1990) of 2 August 1990, 661 (1990) of 6 August 1990 and 662 (1990) of 9 August 1990 as embodying international legitimacy;

3. To condemn the Iraqi aggression against the fraternal State of Kuwait, to withhold recognition of Iraq's decision to annex Kuwait and of any other consequences arising out of the invasion by Iraqi forces of Kuwaiti territory, and to call upon Iraq immediately to withdraw its forces therefrom to the positions in which they were located prior to 1 August 1990;

4. To reaffirm the sovereignty, independence and territorial integrity of Kuwait as a State member of the League of Arab States and of the United Nations and to insist on the restoration of the legitimate Government existing in Kuwait before the Iraqi invasion and to support it in respect of all measures that it might adopt in order to liberate its territory and exercise its sovereignty;

5. To condemn the threats made by Iraq against the Arab States of the Gulf, to censure Iraq's concentration of its armed forces along the borders of the Kingdom of Saudi Arabia and to reaffirm total Arab solidarity with Saudi Arabia and the other Arab States of the Gulf, and to support the measures being taken by the Kingdom of Saudi Arabia and the other Arab States of the Gulf in exercise of their legitimate right to self-defence in accordance with the provisions of article 2 of the Joint Defence and Economic Co-operation Treaty between the States of the Arab League, Article 51 of the Charter of the United Nations and Security Council resolution 661 (1990) of 6 August 1990, on the understanding that such measures shall cease immediately on the full withdrawal of Iraqi forces from Kuwait and the restoration of legitimate authority to that country;

6. To comply with the request of the Kingdom of Saudi Arabia and the other Arab States of the Gulf that Arab forces should be deployed to assist its armed forces in defending its soil and territorial integrity against any external aggression;

7. To request the Secretary-General of the League of Arab States to monitor the implementation of the present resolution and to submit a report thereon within 15 days to the Council of the League for the adoption of any action on the matter that it may deem appropriate. 1/, 2/, 3/, 4/, 5/, 6/, 7/, 8/, 9/

1/ The Hashemite Kingdom of Jordan abstained in the vote on the resolution.

2/ The People's Democratic Republic of Algeria abstained in the vote on the resolution.

3/ The Republic of Yemen abstained in the vote on the resolution.

4/ The Republic of the Sudan expressed reservations with respect to the resolution.

5/ The State of Palestine expressed reservations with respect to the resolution.

6/ The Islamic Republic of Mauritania expressed reservations with respect to the resolution.

7/ The Republic of Iraq opposed the resolution.

8/ The great Socialist People's Libyan Arab Jamahiriya opposed the resolution.

9/ The Republic of Tunisia did not participate in the work of the Conference.

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Security Council

Distr.
GENERAL

S/21501
13 August 1990

ORIGINAL: ENGLISH

LETTER DATED 13 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with Article 51 of the Charter of the United Nations, I wish on behalf of my Government to report that the United Kingdom has deployed military forces to the Gulf. These forces have been despatched in exercise of the inherent right of individual and collective self-defence, recognized in Article 51, in response to developments and requests from Governments in the region, including requests from Kuwait, Saudi Arabia and Bahrain for assistance and by agreement with Oman.

I should be grateful if you would arrange for this letter to be circulated as a document of the Security Council.

(Signed) Crispin TICKELL

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UNITED
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General Assembly Security Council

Distr.
GENERAL

A/45/409
S/21502
13 August 1990
ENGLISH
ORIGINAL: ENGLISH AND
FRENCH

GENERAL ASSEMBLY
Forty-fifth session
Items 71, 142 and 144 of the
provisional agenda*
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY
DEVELOPMENT AND STRENGTHENING OF
GOOD-NEIGHBOURLINESS BETWEEN
STATES
PEACEFUL SETTLEMENT OF DISPUTES
BETWEEN STATES

SECURITY COUNCIL
Forty-fifth year

Letter dated 12 August 1990 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of the declaration on the situation in the Gulf issued by the Twelve States members of the European Community at the Extraordinary Ministerial Meeting held at Brussels on 10 August 1990.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 71, 142 and 144 of the provisional agenda, and of the Security Council.

(Signed) Vieri TRAXLER
Ambassador

* A/45/150 and Corr.1.

ANNEX

Declaration on Iraq's invasion of Kuwait issued on 10 August 1990 by the Twelve States members of the European Community at the Extraordinary Ministerial Meeting held at Brussels

The invasion of Kuwait by Iraqi forces has already provoked an unreserved condemnation by the Community and its member States, which have not only called for the immediate and unconditional withdrawal of Iraqi forces from the territory of Kuwait, but also clearly stated the unacceptability of the situation created by Iraqi military aggression against Kuwait.

Accordingly they reject the announced annexation of Kuwait which is contrary to international law and therefore null and void, as stated in UN Security Council Resolution 662. The same applies to the announced removal of diplomatic missions from Kuwait and to any attempt by the Iraqi authorities to exert powers of government within the territory of Kuwait.

They have noted with appreciation the wide international solidarity which developed following the aggression and led to effective action by the UN Security Council. They welcome the role played by the United Nations and they will strive to maintain and further enhance such international solidarity.

The Community and its member States immediately after the Iraqi invasion adopted a set of measures against Iraq and subsequently have swiftly introduced legislation to implement UN Security Council Resolution 661, which they consider a fundamental instrument to restore international legality.

The Community and its member States have already expressed their grave concern for the situation of foreigners in Iraq and Kuwait. No effort or initiative will be spared to ensure that EC citizens be allowed full and unconditional freedom of movement within and out of those countries. Precise requests to this end have already been addressed to the Iraqi authorities, whom they hold fully accountable for the safety of their citizens. The Presidency will continue to ensure the appropriate coordination aimed at guaranteeing the safety of EC citizens in Iraq and Kuwait.

/...

The Community and its member States having also in mind the vital European interests in the stability, territorial integrity and sovereignty of the States of the area, are ready to take further initiatives, in the framework of the United Nations Charter, that will prove necessary to contain the conflict. They note that certain member States have already taken useful steps also to this end. They are strongly determined to engage in broad efforts to afford the necessary international solidarity with other States in the area threatened by the same aggressor in their efforts to comply with UN Security Council Resolution 661, and to force Iraq to restore Kuwait sovereignty in compliance with UN Security Council Resolution 662.

They have decided to maintain close contact with Arab governments and to offer their assistance to Arab efforts aimed at defusing tensions and restoring international legality, within the framework of UN Security Council Resolutions 660, 661 and 662. They hope that the Summit of Arab Heads of State and Government convened today in Cairo may take concrete measures to this end. The Presidency will discuss with the Arab side the possibility of cooperation aimed at achieving this common purpose.

UNITED
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Security Council

Distr.
GENERAL

S/21503
13 August 1990
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter from Mr. Tariq Aziz, Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

Letter dated 13 August 1990 from the Deputy Prime Minister and Minister for Foreign Affairs of Iraq addressed to the Secretary-General

As you know, the Security Council has, within a small number of days, adopted a series of iniquitous resolutions against Iraq with a dispatch that is unprecedented in the history of the Organization.

In the first resolution it adopted, the Council leaped immediately to the stage of invoking the provisions of Chapter VII of the Charter without allowing itself sufficient time to comprehend the situation and to acquaint itself with the facts from the parties concerned and in complete disregard of the position of Iraq and clarifications it could provide. In a period of no more than a few days, the Council then leaped to the stage of adopting a resolution on comprehensive and mandatory sanctions, once again in total disregard of the position of Iraq and any of its clarifications. There has never been such a procedure in the history of the Council, and it renders the resolutions adopted against Iraq unjust and out of keeping with the most elementary procedural notions in accordance with which the Council's work has been conducted in the past.

What has thus far transpired in the Council would not have taken place had it not been for the methods of pressure and deception employed by the United States with a number of Council members in order to induce them to vote for the said resolutions. The United States is thus endeavouring to establish itself as the controller of the world and of its destiny. These unjust resolutions, which were prejudged by certain States members of the Council and which the United States has endeavoured to impose, are evidently an ominous phenomenon in the history of the Organization, namely that of the imposition of double standards and selective judgements by force, intimidation and otherwise.

It is the United States, more than any other country in the world, that has regularly violated the Charter of the United Nations, the resolutions of the Security Council and the General Assembly and international law, and particularly so in our region. The United States has used the big stick in addressing international issues, and it has imposed its tyrannical will by force of arms, intimidation and campaigns of disinformation. We see no need to demonstrate that fact by means of examples drawn from the dark record of the United States in the Security Council, which is well known to the international community and which some fair-minded members of the Council have recently recalled in the course of its meetings.

We view the measures adopted by the Council as a flagrant injustice and as a denial of the facts of history and of contemporary events in the international community.

In this connection, we have an important observation to make. Security Council resolution 661 (1990), unjust and precipitous as it is, stipulates,

inter alia, that the iniquitous sanctions should not include supplies intended strictly for medical purposes and, in humanitarian circumstances, foodstuffs.

The United States has, however, had the intention from the very outset of preventing the delivery of such supplies for the purpose of starving and intimidating the people of Iraq, which is, however, a proud people, one that has fashioned civilizations throughout history and one which rejects humiliation and subjection. The United States has also incited a number of other States to follow its example, just as it has sought to impose a blockade on Iraq's exports and imports, thereby appointing itself the policeman of the world. Its trifling with words and designations does not alter this fact. Iraq calls upon the international community to reject these hostile and inhuman acts and to refuse to allow the United States to abuse human life in this crude fashion.

In another respect, it must be said that the embargo process itself has the objective from the practical point of view of starving the Iraqi people, which would not alter its stance or affect its staying power. How can the Iraqi people obtain foodstuffs and medical supplies when its major resource, namely oil, is cut off? If the Security Council had been thinking along sound humanitarian lines, it would have been in keeping with a true humanitarian approach, to have allowed a certain amount of oil to be exported which would, at the least, suffice to provide for normal humanitarian needs, principally foodstuffs and medicine.

Reference must be made to the fact that the United States has endeavoured by all possible means to induce certain States to close the pipelines that carry Iraqi oil, although these pipelines represent Iraqi investments made prior to recent events and despite the fact that the decision on closure does not in any way enter into the scope of the resolutions adopted by the Security Council and that it was resorted to only at the inducement of the United States.

In conclusion, I must say to you, Mr. Secretary-General, and through you to the entire international community that the Iraqi people, the Arab nation and all free peoples of the world who are proud of their sovereignty and independence will reject by all legitimate means the attempts of the United States to extend its domination over the world by force, intimidation and deception.

(Signed) Tariq AZIZ
Deputy Prime Minister
Minister for Foreign Affairs of Iraq

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General Assembly Security Council

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A/44/970
S/21504
13 August 1990
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-fourth session
Agenda item 34
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE AND
SECURITY AND PEACE INITIATIVES

SECURITY COUNCIL
Forty-fifth year

Letter dated 13 August 1990 from the representatives of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the Security Commission Agreement, adopted at San José, Costa Rica, on 31 July 1990 by the Deputy Ministers for Foreign Affairs of Costa Rica (Mr. Hernán Castro), El Salvador (Mr. Ricardo Valdivieso), Guatemala (Mr. Mario Adrián Rosal), Honduras (Mr. Jaime Güell) and Nicaragua (Mr. Ernesto Leal), with Mr. Walter Myers, Ambassador of Panama to Costa Rica, present as an observer, with a view to consolidating the process of achieving peace and democracy and to generating a climate of confidence and security in the region.

We should be grateful if you would arrange for this letter and its annex to be circulated as a document of the forty-fourth session of the General Assembly, under agenda item 34, and of the Security Council.

(Signed) Emilia CASTRO de BARISH
Chargé d'affaires a.i.
of Costa Rica to the
United Nations

(Signed) Alexander A. KRAVETZ
Chargé d'affaires a.i.
of El Salvador to the
United Nations

(Signed) Rafael CASTELLANOS-CARRILLO
Chargé d'affaires of Guatemala
to the United Nations

(Signed) Roberto FLORES BERMUDEZ
Permanent Representative of
Honduras to the United Nations

(Signed) Roberto MAYORGA CORTES
Permanent Representative of
Nicaragua to the United Nations

ANNEX

Security Commission Agreement

San José, 31 July 1990

In accordance with the mandate of the Central American Presidents, as defined in the Guatemala Procedure and the Antigua Declaration, to consolidate the process of achieving peace and democracy and to generate a climate of confidence and security in the region, the Security Commission hereby lays down the following objectives:

1. To ensure that the armed forces of the countries of the region are of such a nature as to defend sovereignty, territory and internal order rather than of an offensive nature;

2. To establish a reasonable balance between the armed forces of the countries of the region, or a proportional and overall equivalence between their weapons, equipment and human strengths, in such a way that they do not represent any threat to neighbouring countries;

3. To define a new model for security relations between the Central American States, based on co-operation, co-ordination, communication and prevention;

4. To secure commitments with respect to the foreign military presence in the region.

For the purposes of achieving the aforementioned objectives, the Commission identifies the following requirements:

(a) It is necessary to define the factors, such as surface area, location, population, geographical features and their area, as well as border features, which must be taken into account in order to determine, by means of a scale of equivalence, each country's military needs.

(b) Inventories must be drawn up to indicate the numbers of weapons and military personnel in each country.

(c) It is necessary to determine what limits or, where necessary, reductions might be required as a result of the comparisons made in accordance with the paragraphs above.

(d) For the purposes of dealing with internal conflicts or subversive movements in the region, the agreed limits may be exceeded in respect of troops and equipment specifically intended for such situations. Reinforcements of this sort will be subject to such verification and control mechanisms as may be established.

(e) Negotiations which have already been opened on the subject of bases, installations, exercises and foreign military advisers will be reviewed and continued.

(f) Verification and control mechanisms will be established.

(g) The Commission will promote agreements designed to create a climate of trust between the States of the region, to encourage good-neighbourliness and to strengthen friendship, development and co-operation between them.

(h) The offers of co-operation made by the Secretaries-General of the Organization of American States and the United Nations will be accepted.

The Security Commission will hold regular meetings at intervals which shall in no case be greater than 60 days, as well as extraordinary meetings when necessary. Such meetings shall be held alternately in each Central American country, in alphabetical order, with the next regular meeting to be held in El Salvador on 10 and 11 September 1990. In the event that a country is not able or prepared to act as host, the meeting will be moved to the country which next follows it on the alphabetical list.

The scales of equivalence, terms for the drawing up of inventories, verification and control mechanisms and advisory services to be provided by the Secretaries-General of the Organization of American States and the United Nations, whose offers were accepted at this meeting, will be determined at the September meeting in El Salvador. The secretariats of both the latter organizations will be invited to take part in the meeting as observers.

The Commission is grateful for the readiness of Colombia, Mexico and Venezuela to assist in negotiations and believes that it would be useful if the support offered by those fraternal countries were to be channelled through the multilateral bodies which are contributing to the work of this Commission.

The delegations of El Salvador, Guatemala, Honduras, Nicaragua and Panama express their gratitude for the hospitality and generosity of the Government of Costa Rica, which were of particular help in ensuring the success of the meeting.

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Security Council

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GENERAL

S/21505
13 August 1990
ENGLISH
ORIGINAL: ARABIC/ENGLISH

LETTER DATED 13 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to enclose herewith the statement issued by the Council of Ministers of Kuwait following its meeting of 12 August 1990.

I should be grateful if you would arrange for this statement to be circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative

Annex

Statement issued on 12 August 1990 by the Council of Ministers of Kuwait

The news agencies have reported the so-called Iraqi initiative to disseminate an atmosphere of peace in the Arabian Gulf region that would rid it of the state of tension that currently prevails there. Rejecting wholesale and in its various details the declared Iraqi position, the Council of Ministers would like to stress the following points:

1. The state of tension now prevailing in the Arabian Gulf region is a natural and inevitable result of the act of aggression committed by Iraq in launching its armed forces by land, sea and air in an invasion of Kuwait. This was a fierce assault, carried out in disregard of the sovereignty of a neighbourly and fraternal State, in breach of all principles and values and in violation of the sanctity of homes, in which peaceful citizens were terrorized and in which there were acts of plunder, looting and armed robbery unprecedented in contemporary history.

2. In its most recent statement, Iraq has acknowledged that its occupation of the State of Kuwait resembles Israel's occupation of Arab territories, and it has thereby revealed itself as playing the same role as that of the Zionist entity in the Arab region.

3. Kuwait is an independent, sovereign State and a member of the United Nations, of the League of Arab States and of the Organization of the Islamic Conference, and it has diplomatic relations with various countries of the world, including Iraq. Accordingly, the brutal Iraqi aggression against the State of Kuwait and its attempt to prejudice its existence are an act of aggression against international legitimacy that warrants action on the part of the international community for the relentless and decisive pursuit and chastisement of the aggressor.

4. The Iraqi régime has lost its credibility in a number of respects. It had previously given its pledge to a number of Arab and other leaders that it would not resort to the use of force in order to settle its outstanding problems with the State of Kuwait. However, it broke its word and violated its pledge, and it embarked on this dangerous and treacherous act. It then maintained that it would withdraw its forces from the State of Kuwait in implementation of Security Council resolution 660 (1990), but it has not done so. Consequently, the Iraqi régime can no longer succeed in deceiving Arab and world public opinion in order to extricate itself from its isolation, and all of its attempts to do so are doomed to abject failure.

The statement of the aggressor Iraqi régime is thus no more than an obvious and vain attempt to deceive Arab and world public opinion and to divert attention from the adoption of decisive measures for the implementation of Security Council resolutions 660 (1990), 661 (1990) and 662 (1990) so as to ensure the full and immediate withdrawal of the aggressor Iraqi forces from the State of Kuwait and the

restoration of legitimate authority as represented by His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al Sabah and his Government under the Crown Prince and Prime Minister Sheikh Saad Al-Abdulallah Al-Salem Al Sabah.

Victory is nigh, God willing.

UNITED
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Security Council

Distr.
GENERAL

S/21506
14 August 1990

ORIGINAL: ENGLISH

REPORT OF THE COMMITTEE ON THE ADMISSION OF NEW MEMBERS CONCERNING THE APPLICATION OF THE PRINCIPALITY OF LIECHTENSTEIN FOR ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

1. At the 2935th meeting on 13 August 1990, the Security Council had before it the application of the Principality of Liechtenstein (S/21486) for admission to membership in the United Nations. In accordance with rule 59 of the provisional rules of procedure of the Security Council and in the absence of a proposal to the contrary, the President of the Council referred the application to the Committee on the Admission of New Members for examination and report.

2. At its 73rd meeting on 14 August 1990, the Committee considered the application of the Principality of Liechtenstein and unanimously decided to recommend to the Security Council that it should be admitted to membership in the United Nations.

3. Accordingly, the Committee recommends to the Security Council the adoption of the following draft resolution:

The Security Council,

Having examined the application of the Principality of Liechtenstein for admission to the United Nations (S/21486),

Recommends to the General Assembly that the Principality of Liechtenstein be admitted to membership in the United Nations.

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UNITED
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Security Council

Distr.
GENERAL

S/21507
14 August 1990
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 13 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF ROMANIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to transmit herewith the text of decision No. 935 of the Government of Romania concerning the implementation of Security Council resolution 661 (1990).

I should be grateful if you would kindly have this letter and its annex circulated as a document of the Security Council.

(Signed) Aurel-Dragoş MUNTEANU
Ambassador
Permanent Representative

Annex

DECISION

concerning the implementation by Romania of United Nations Security Council resolution 661 (1990)

The Government of Romania,

Bearing in mind the provisions of United Nations Security Council resolution 661 (1990), adopted on 6 August 1990,

Taking account of the obligation of States Members of the United Nations to implement Security Council resolutions, in accordance with the provisions of Chapter VII of the Charter of the United Nations,

DECIDES AS FOLLOWS:

Article 1 - State organs and institutions and Romanian persons and bodies, as well as foreign persons and bodies carrying out economic and financial activities within Romanian territory, shall not:

(a) Import into Romania goods and products originating in Iraq or Kuwait exported therefrom after 6 August 1990;

(b) Carry out activities which would promote or are calculated to promote the export or trans-shipment of any goods or products originating in Iraq or Kuwait or conduct any dealings in goods or products originating in Iraq or Kuwait exported therefrom after 6 August 1990, including any transfer of funds to Iraq or Kuwait for the purposes of such activities or dealings;

(c) Sell or supply from Romania or using Romanian flag vessels any goods or products, including weapons or any other military equipment, whether or not originating in Romanian territory (with the exception of supplies intended for medical purposes and, in special humanitarian cases, foodstuffs), to any person or body in Iraq or Kuwait or to any person or body for the purposes of any business carried on in or operated from those countries, or carry out any activity which promotes or is calculated to promote the sale of such goods and products.

Article 2 - No funds or other financial or economic resources shall be made available to the Government of Iraq or to any other commercial, industrial or public utility undertaking in Iraq or Kuwait.

Romanian citizens and other persons present in Romanian territory shall not remove such funds or resources from Romania or otherwise make them available to the Government of Iraq or to any such undertaking, or remit any other funds to persons or bodies within Iraq or Kuwait, except payments exclusively for medical or humanitarian purposes and, in special humanitarian circumstances, foodstuffs.

/...

Article 3 - The aforementioned provisions shall not affect payments made through Romanian banking institutions by the Embassy of Iraq at Bucharest for public services used by the Embassy or for other normal activities carried out in accordance with the Vienna Conventions on diplomatic and consular relations.

Article 4 - The Ministry of Finance, the Ministry of Trade and Tourism, the Ministry of Resources and Industry, the Ministry of Defence and other State organs shall, according to their competence, take the measures required for the implementation of the provisions of this decision.

Article 5 - Any violation of the provisions of this decision shall incur administrative liability or liability for contraventions or crimes, as appropriate, on the part of the guilty parties, in accordance with the provisions of the legal regulations in force.

Petre ROMAN
Prime Minister

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21508
14 August 1990
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 9 AUGUST 1990 FROM THE MINISTER FOR FOREIGN AFFAIRS OF PANAMA ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to acknowledge receipt of your telex dated 8 August 1990, containing the text of Security Council resolution 661 (1990) in which the Council adopted economic sanctions in connection with Iraq's invasion of Kuwait.

With respect to paragraph 6 (b) of that resolution, I am pleased to inform you that the national authorities have been notified of the content of Security Council resolution 661 (1990) with a view to ensuring its implementation. I shall notify you at a later date of the specific measures which have been taken.

(Signed) Julio E. LINARES
Minister

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UNITED
NATIONS

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General Assembly Security Council

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GENERAL

A/45/415
S/21509
14 August 1990
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the provisional agenda*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 14 August 1990 from the Chargé d'affaires a.i.
of the Permanent Mission of Ecuador to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you the text of the official statement issued by my Government on 8 August 1990 concerning the recent events in Kuwait and to request that it be circulated as a document of the General Assembly, under item 35 of the provisional agenda, and of the Security Council.

In application of the clear principles which guide its foreign policy, the Government of Ecuador endorsed the resolution adopted by the United Nations Security Council with regard to the military occupation of Kuwait by Iraq.

On that occasion, Ecuador reaffirmed that the non-recognition of territorial conquests made by force and the settlement of disputes and controversies between States through dialogue and peaceful processes were unchanging norms of its international policy and actions.

(Signed) Juan SALAZAR-SANCISI
Minister
Chargé d'affaires a.i.

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* A/45/150 and Corr.1.

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General Assembly Security Council

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GENERAL

A/45/416
S/21510
14 August 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the provisional
agenda*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 14 August 1990 from the Permanent Representative of Singapore to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement issued on 10 August 1990 by the Ministry of Foreign Affairs of Singapore on the illegal annexation of Kuwait by Iraq and on United Nations sanctions against Iraq (see annex).

I should be grateful if you would arrange to have the present letter and its annex circulated as an official document of the General Assembly, under item 35 of the provisional agenda, and of the Security Council.

(Signed) CHAN Heng Chee
Ambassador
Permanent Representative

* A/45/150 and Corr.1.

Annex

STATEMENT ISSUED ON 10 AUGUST 1990 BY THE MINISTRY OF FOREIGN AFFAIRS OF SINGAPORE ON THE IRAQI ANNEXATION OF KUWAIT

Singapore fully supports United Nations Security Council resolution 662 (1990), in which the Council has declared that Iraq's annexation of Kuwait has no legal validity and is considered null and void. We also welcome the determination of the United Nations Security Council to restore the authority of the legitimate Government of Kuwait.

Singapore also reiterates its support for United Nations Security Council resolutions 660 (1990) and 661 (1990) and declares that, as a responsible member of the United Nations, Singapore will implement the provisions of United Nations Security Council resolution 661 (1990). Singapore urges the international community to support fully the efforts of the United Nations to rescind the Iraqi annexation of Kuwait.

UNITED
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Security Council

Distr.
GENERAL

S/21511
14 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 AUGUST 1990 FROM THE CHARGE D'AFFAIRES OF THE PERMANENT MISSION OF FINLAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Acting Permanent Representative of Finland to the United Nations presents her compliments to His Excellency the Secretary-General of the United Nations and, in response to the Secretary-General's note SCPC/7/90(1), dated 8 August 1990, has the honour to inform him that a Decree on the Enforcement of Obligations Arising from the Resolution on Iraq and Kuwait adopted by the Security Council of the United Nations was issued in Helsinki on 9 August 1990. The Act was adopted pursuant to Articles 1 and 5 of the Act (659/67) of 29 December 1967 on the Enforcement of Certain Obligations on Finland as a Member of the United Nations. Enclosed is an English translation of the text of Act of 9 August 1990.

It is requested that this note together with the attached translation be circulated as a document of the Security Council.

Annex

DECREE

On the Enforcement of Obligations Arising from the Resolution on Iraq and Kuwait adopted by the Security Council of the United Nations.

Issued in Helsinki on 9 August 1990.

Upon presentation by the Minister for Foreign Affairs the following is enacted by virtue of articles 1 and 5 of the Act (659/67) of 29 December 1967 on the Enforcement of Certain Obligations on Finland as a Member of the United Nations.

1 Para

In order to enforce the obligations arising from resolution 661 (1990) of the Security Council of the United Nations, Finland restricts her economic relations with Iraq and Kuwait according to the provisions in this Decree.

2 Para

The import into Finland of commodities or products originating in Iraq or Kuwait is prohibited. Any activities by Finnish nationals or in the Finnish territory which would promote or are calculated to promote the export of transshipment of commodities or products from Iraq or Kuwait, and dealings by Finnish nationals and vessels flying the Finnish flag or in the Finnish territory in commodities or products originating in Iraq or Kuwait and exported therefrom after the date of the resolution is also prohibited. The same applies to the transfer of funds to Iraq or Kuwait for the purposes of such activities or dealings.

The sale or supply by Finnish nationals or from the Finnish territory or using vessels flying the Finnish flag of commodities or products, including weapons or other military equipment, whether or not originating in the Finnish territory, to any person or body in Iraq or Kuwait or for the purposes of business carried on from these countries, is prohibited. Any activities by Finnish nationals or in the Finnish territory which promote or are calculated to promote such sale or supply of commodities or products, are also prohibited.

It is prohibited to transfer funds or grant other economic resources to the Government of Iraq, or to a commercial industrial or public utility undertaking or to a natural person in Iraq or Kuwait. The same applies to the transfer of funds from Finland by Finnish nationals or other persons in the Finnish territory.

The provisions above concerning the sale or supply of commodities or products or the transfer of funds do not include supplies intended stricty for medical purposes, and in special humanitarian circumstances, food supplies or payment for the purposes of these supplies.

3 Para

The provisions of Article 2 shall also apply to contracts entered into prior to the date of this Decree.

4 Para

Regarding violations of this Decree or Directives issued by virtue thereof, Article 4 of the Act on the Enforcement of Certain Obligations on Finland as a Member of the United Nations shall apply.

5 Para

The Council of Ministers shall, if necessary, issue more detailed directives on the application of this Decree.

6 Para

This Decree will enter into force on 10 August 1990.

President of the Republic
Mauno Koivisto

Minister for Foreign Affairs
Pertti Paasio

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21512
14 August 1990
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 14 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF COTE D'IVOIRE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

With reference to your letter No. SCPC/7/90 (1) of 8 August 1990, concerning the implementation of Security Council resolution 661 (1990), adopted at the Council's 2933rd meeting on 6 August 1990, I have the honour to inform you that the Government of the Republic of Côte d'Ivoire maintains no diplomatic relations with Iraq, nor is there any trade agreement linking the two States.

Nevertheless, the President of the Republic has given firm instructions to those responsible for Economy, Finance and Trade to the effect that such provisions of resolution 661 (1990) - of which Côte d'Ivoire is a co-sponsor - as relate to economic and commercial exchanges should be strictly applied.

(Signed) N'zi ANET
Chargé d'affaires a.i.

90-19058 1674i (E)

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21513
14 August 1990

ORIGINAL: ENGLISH

LETTER DATED 13 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF THE CZECH AND SLOVAK FEDERAL REPUBLIC TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a statement made by the Federal Ministry of Foreign Affairs of the Czech and Slovak Federal Republic on 10 August 1990, concerning the annexation by the Republic of Iraq of the State of Kuwait.

I would be most grateful if you could have the texts of this letter and of its annex circulated as a document of the Security Council.

(Signed) Eduard KUKAN
Ambassador
Permanent Representative

Annex

Statement made on 10 August 1990 by the Federal Ministry of Foreign Affairs of the Czech and Slovak Federal Republic on Iraqi Annexation of the State of Kuwait

The Federal Ministry of Foreign Affairs of the Czech and Slovak Federal Republic regards the forcible annexation of the independent and sovereign State of Kuwait by the Republic of Iraq as an open violation of the United Nations Charter as well as of other norms of the international law which are binding for all members of the international community.

In view of the unlawfulness of that step, the Czech and Slovak Federal Republic has welcomed the adoption of Security Council resolution 662, does not recognize the annexing of Kuwait to the Republic of Iraq, and shall abstain from any actions that might be interpreted as an indirect recognition of the annexation of Kuwait. At the same time, the Czech and Slovak Federal Republic calls upon Iraq to refrain from any steps in violation of the international law and to enable foreigners to leave the country.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21514
14 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 AUGUST 1990 FROM THE PERMANENT MISSION OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Turkey to the United Nations presents its compliments to the Secretary-General and in response to his note SCPC/7/90(1), has the honour to enclose herewith, a sheet containing information on the measures taken by the Government of Turkey in connection with the implementation of Security Council resolution 661 (1990).

Annex

1. Measures taken by Turkey as of 7 August 1990 in compliance with the provisions of Security Council Resolution 661 (1990) are as follows:

(a) The import of all goods and products of Iraqi and Kuwaiti origin to Turkey has been banned. This ban includes the transit through Turkey of such goods and products.

(b) The export of goods and products to Iraq and Kuwait from Turkey has been banned. This ban includes the transit through Turkey of such goods and products. The export of pharmaceutical and medical products will require a licence, and request for licences will be considered on a case by case basis.

(c) The transfer of all funds and payments to Iraq and Kuwait has been banned.

(d) The oil pipeline between Turkey and Iraq has been shut down.

(e) Turkish-flagships have been advised not to transport cargoes to or from Iraq and Kuwait as well as cargoes of Iraqi and Kuwaiti origin.

(f) The negotiations on a $400 million Turkish loan to Iraq have been frozen.

2. Difficulties in implementing the embargo decision arise from the build-up of Turkish and foreign trucks, loaded before 7 August 1990, on the Iraqi side of the Turkish-Iraqi border as well as on the Bulgarian side of the Turkish-Bulgarian border. As of 9 August 1990, some 7000 Turkish trucks were awaiting clearance at the Iraqi side of the Turkish-Iraqi border. Of these trucks, the empty ones are allowed immediate entry; the loaded ones are permitted entry after investigation of the date of their bill of lading and the origin of their load. It is expected that it will take several days for the situation at the border to return to normal.

3. It is expected that the full implementation of the embargo throughout Turkey will take some days.

4. Turkey has declared that it does not recognize the annexation of Kuwait and that it continues to maintain relations with the legitimate Government of Kuwait.

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General Assembly Security Council

Distr.
GENERAL

A/45/412
S/21515
14 August 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Items 71, 142, 144
of the provisional agenda*

SECURITY COUNCIL
Forty-fifth year

IMPLEMENTATION OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

DEVELOPMENT AND STRENGTHENING OF GOOD-NEIGHBOURLINESS BETWEEN STATES

PEACEFUL SETTLEMENT OF DISPUTES BETWEEN STATES

Letter dated 13 August 1990 from the Permanent Representative of Hungary to the United Nations addressed to the Secretary-General

I have the honour to transmit, with reference to your note SCPC/7/90(1), the text of a statement issued on 10 August 1990 by the Government of the Republic of Hungary on the Iraqi invasion of Kuwait.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under items 71, 142 and 144 of the provisional agenda, and of the Security Council.

(Signed) Ferenc ESZTERGALYOS
Ambassador
Permanent Representative
to the United Nations

* A/45/150 and Corr.1.

ANNEX

Statement issued on 10 August 1990 by the Government of Hungary

The Government of the Republic of Hungary has learned with deep consternation and concern about the decision made public at Baghdad on 8 August regarding the annexation of Kuwait by Iraq. In the opinion of the Government this step is at variance with the Charter of the United Nations and the principles of international law governing relations between States, therefore it is null and void.

In view of its contemporary historic experiences the Hungarian people regards with aversion any deployment of foreign troops under the pretext of "providing assistance". Therefore, the Government feels especially prompted to raise its voice in public, too, against Iraq's endeavour to give a semblance of legality to the unacceptable military aggression.

In accordance with Security Council resolutions 660 (1990), 661 (1990) and 662 (1990), the Government of the Republic of Hungary demands the restoration of the sovereignty and the guaranteeing of the territorial integrity of Kuwait. According to the position of the Government, the immediate, complete and unconditional withdrawal of the Iraqi troops from the territory of Kuwait is the fundamental condition for the settlement of the situation.

Hungary recognizes for itself as obligatory the implementation of Security Council resolution 661 on sanctions, since it serves the early settlement of the crisis. In the interest of promoting the settlement, the Government proposes the formation of United Nations peace-keeping forces and their deployment in the region.

Acceding to the statement of the ministerial meeting of the European Communities adopted at Brussels on 10 August 1990, the Government of the Republic of Hungary is ready to participate in any effort carried out within the framework of the United Nations for the restoration of the peace and security of the region. It is confident that the summit meeting of the Arab heads of State and government will bring about results effectively serving an early settlement.

The Hungarian Government is at a loss to comprehend the fact that despite its repeated requests the Iraqi authorities have not made possible so far the free departure of Hungarian citizens presently staying in Kuwait. The Iraqi authorities bear full responsibility for their safety. At the same time the Hungarian Government expects henceforward, too, that the Iraqi authorities allow the immediate and safe return of the Hungarian citizens to their homeland, preferably by means of air transportation.

The Hungarian Government expresses its sincere hope that the grave crisis will be settled without delay by peaceful means.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/21516
14 August 1990
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 13 AUGUST 1990 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF CHILE TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you the text of the Declaration published on 10 August 1990 in connection with the invasion of Kuwait:

"The Government of Chile has followed with deep concern developments in the crisis arising as a result of the invasion of Kuwait by Iraqi military forces.

"The Ministry of Foreign Affairs has expressed the Government's views on the situation by means of communiqués issued on 2 and 8 August 1990.

"Chile, reiterating its condemnation of the use of force or the threat of use of force in the settlement of international disputes, immediately endorsed United Nations Security Council resolution 661 (1990), which is designed to restore peaceful and respectful coexistence in the region.

"In conformity with this position, the Government also considers it appropriate publicly to express its support for Security Council resolution 662 (1990), adopted on 9 August 1990, which declares that the annexation of Kuwait by Iraq has no legal validity and is considered null and void.

Santiago, 10 August 1990."

I should be grateful if you would arrange for the text of this Declaration to be circulated as a document of the Security Council.

(Signed) James HOLGER
Ambassador
Alternate Permanent Representative
Chargé d'affaires a.i.

UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/45/417
S/21517
14 August 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the provisional agenda*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 14 August 1990 from the Chargé d'affaires a.i. of the Permanent Mission of the German Democratic Republic to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement issued on 14 August 1990 by the Government of the German Democratic Republic (see annex).

I should be grateful if you would arrange to have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 35 of the provisional agenda, and of the Security Council.

(Signed) Dr. Kurt KUTSCHAN
Envoy Extraordinary and
Minister Plenipotentiary
Chargé d'affaires a.i.

* A/45/150 and Corr.1.

ANNEX

Statement issued on 14 August 1990 by the Government of the German Democratic Republic

The Government of the German Democratic Republic regards the annexation of Kuwait by Iraq as incompatible with the principles of international law and rejects it as null and void.

In accordance with Security Council resolutions 660, 661 and 662, the German Democratic Republic calls for the immediate and unconditional withdrawal of Iraqi troops and for ensuring the territorial integrity and State sovereignty of Kuwait.

The Government of the German Democratic Republic has taken the necessary steps to implement Security Council resolution 661 within its scope of jurisdiction. It supports all activities suited to restore peace and security in the Gulf region.

The Government of the German Democratic Republic expects the Iraqi authorities to ensure fully the security of the citizens of the German Democratic Republic in Iraq and Kuwait and to facilitate their immediate return home. It reaffirms that everything must be done to prevent a further escalation of the situation in the Persian Gulf region.

UNITED
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Security Council

Distr.
GENERAL

S/21518
14 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 AUGUST 1990 FROM THE PERMANENT MISSION OF SWEDEN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Chargé d'affaires a.i. of the Permanent Mission of Sweden to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to communicate to him, in response to his note SCPC/7/90(1), the text in English translation of the two ordinances issued by the Government of Sweden on 7 August 1990 in accordance with the provisions of Security Council resolution 661 (1990).

Annex

1. Ordinance
on the implementation with regard to Iraq and Kuwait of the act on certain international sanctions (1971:176)

issued on 7 August 1990.

The Government provides that sections 3-5, 6 and 7 of the act on certain international sanctions (1971:176) shall apply with regard to Iraq and Kuwait in view of resolution No. 661 (1990) which the United Nations Security Council adopted on 6 August 1990.

This ordinance enters into force on 7 August 1990.

2. Ordinance
on certain sanctions against Iraq and Kuwait

issued on 7 August 1990.

The Government hereby ordains as follows.

Section 1 Within the meaning of this ordinance commodities are material objects having the nature of movable property with the exception of

1. Publications and news-matter,

2. Commodities which are intended for humanitarian purposes,

3. Commodities which are intended for strictly medical purposes.

Section 2 Commodities may not be imported to Sweden if they originated in Iraq or Kuwait and were exported from those countries on 7 August 1990 or later.

Section 3 Commodities may not be exported from Sweden if their destination is Iraq or Kuwait.

Section 4 Commodities may not be imported to or exported from Iraq or Kuwait.

Section 5 Commodities may not be supplied for business activities within Iraq or Kuwait.

Nor may commodities be supplied outside Iraq or Kuwait if the commodities are intended for business activities which are operated from Iraq or Kuwait.

Section 6 Measures may not be taken which would promote or are calculated to promote the acts mentioned in sections 2-5 and which entail

1. The manufacture, processing, assembly, installation, maintenance or repair of commodities or provision of technical assistance for such measures,

2. The loading, unloading, transport or receiving for storage of commodities or the supply of transport facilities or of equipment or necessities for transport,

3. The transfer or acquisition of commodities, grant of acquisition of special rights thereto or the issue of insurance thereon or legal transactions relating to the measures mentioned in sub-section 1 or 2 with regard to a commodity,

4. The transfer or acquisition of any invention or the granting or acquisition of special rights thereto or

5. The granting or negotiation of mandates for the measures specified in sub-sections 1-4.

Section 7 The measures referred to in section 6 sub-sections 1-3 and mandates for such measures may not be granted or negotiated as regards commodities which have been exported from Iraq or Kuwait on 7 August 1990 or later.

Section 8 Payment from outside Iraq or Kuwait may not be effected or credit granted to the Government of Iraq or to any other recipient in Iraq or Kuwait. Nor may payment be effected or credit granted to any person outside Iraq or Kuwait if the payment or credit is intended for any person or body in Iraq or Kuwait or for any business activities which are carried on in or operated from Iraq or Kuwait.

Nor may mandates be granted or negotiated for such measures as are prohibited in accordance with the first paragraph.

The prohibitions in the first and second paragraphs do not comprehend payments exclusively for strictly medical or humanitarian purposes.

UNITED
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General Assembly Security Council

Distr.
GENERAL

A/45/418
S/21519
14 August 1990
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

GENERAL ASSEMBLY
Forty-fifth session
Item 35 of the provisional agenda*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 14 August 1990 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a letter dated 9 August 1990 from the Right Honourable Joe Clark, Secretary of State for External Affairs of Canada, concerning the situation between Iraq and Kuwait (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly, under item 35 of the provisional agenda, and of the Security Council.

(Signed) L. Yves FORTIER
Ambassador
Permanent Representative

* A/45/150 and Corr.1.

ANNEX

Letter dated 9 August 1990 from the Secretary of State for External Affairs of Canada to the Secretary-General

I am writing to you with regard to United Nations Security Council resolution 661 of 6 August 1990 concerning the imposition of international economic sanctions against Iraq and occupied Kuwait.

For its part, the Government of Canada has put regulations in place to give effect to this resolution under an act of the Parliament of Canada (known as the United Nations Act) as follows:

Imports:	All Iraqi and Kuwaiti imports to Canada are prohibited as of 6 August 1990. Goods in transit prior to that date will be permitted entry.
Exports:	All exports from Canada to Iraq and Kuwait are prohibited, effective 7 August 1990.
Credits:	The extension of credit facilities to Iraq and Kuwait will cease, including official support through the Government of Canada and its agencies.
Funds and assets:	Effective 7 August 1990 no funds can be transferred to Iraq or Kuwait.

For your information, I have appended to this letter a copy of the United Nations Act (see appendix I) and the regulations, the short title of which is the "United Nations Iraq Regulations" (see appendix II).

(Signed) Joe CLARK

APPENDIX I

CHAPTER U-2

An Act respecting Article 41 of the Charter of the United Nations

SHORT TITLE

Short title

1. This Act may be cited as the *United Nations Act*. R.S., c. U-3, s. 1.

ORDERS AND REGULATIONS OF THE GOVERNOR IN COUNCIL

Application of Security Council decisions

2. When, in pursuance of Article 41 of the Charter of the United Nations, set out in the schedule, the Security Council of the United Nations decides on a measure to be employed to give effect to any of its decisions and calls on Canada to apply the measure, the Governor in Council may make such orders and regulations as appear to him to be necessary or expedient for enabling the measure to be effectively applied. R.S., c. U-3, s. 2.

Offence and punishment

3. (1) The Governor in Council may prescribe a fine not exceeding five thousand dollars or a term of imprisonment not exceeding five years, or both, as punishment for contravention of any order or regulation made under this Act and may also prescribe whether the punishment shall be imposed on summary conviction or on conviction on indictment or on either summary conviction or conviction on indictment, but in the case of summary conviction the fine prescribed shall not exceed two hundred dollars and the term of imprisonment prescribed shall not exceed three months.

Forfeiture

(2) Any goods, wares or merchandise dealt with contrary to any order or regulation made under this Act may be seized and detained and are liable to forfeiture at the instance of the Minister of Justice, on proceedings in the Federal Court, or in any superior court, and any such court may make rules governing the

CHAPITRE U-2

Loi concernant l'Article 41 de la Charte des Nations Unies

TITRE ABRÉGÉ

Titre abrégé

1. *Loi sur les Nations Unies*. S.R., ch. U-3, art. 1.

DÉCRETS ET RÈGLEMENTS DU GOUVERNEUR EN CONSEIL

Décisions du Conseil de Sécurité des Nations Unies

2. Le gouverneur en conseil peut prendre les décrets et règlements qui lui semblent utiles pour l'application d'une mesure que le Conseil de Sécurité des Nations Unies, en conformité avec l'Article 41 de la Charte des Nations Unies — reproduit à l'annexe —, invite le Canada à mettre en œuvre pour donner effet à l'une de ses décisions. S.R., ch. U-3, art. 2.

Infractions et peines

3. (1) Le gouverneur en conseil peut instituer, pour sanctionner la violation d'un décret ou d'un règlement pris en application de la présente loi, une amende maximale de cinq mille dollars et un emprisonnement maximal de cinq ans, ou l'une de ces peines; il peut aussi décider du mode de poursuite de l'infraction : par mise en accusation ou par procédure sommaire, ou encore au choix. En cas de déclaration de culpabilité par procédure sommaire, toutefois, le maximum de la peine encourue est de deux cents dollars et de trois mois d'emprisonnement.

Confiscation

(2) Les marchandises ou autres articles ayant servi ou donné lieu à une infraction aux décrets ou règlements pris en application de la présente loi peuvent être saisis et retenus et faire l'objet d'une confiscation sur instance introduite par le ministre de la Justice devant la Cour fédérale — ou toute autre juridiction

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procedure on any proceedings taken before the court or a judge thereof under this section. R.S., c. U-3, s. 3; R.S., c. 10(2nd Supp.), s. 64.

Tabling in Parliament

4. (1) Every order and regulation made under this Act shall be laid before Parliament forthwith after it has been made or, if Parliament is not then sitting, forthwith after the commencement of the next ensuing session.

Resolution

(2) If both the Senate and House of Commons within the period of forty days, beginning with the day on which an order or regulation is laid before Parliament pursuant to subsection (1) and excluding any time during which Parliament is dissolved or prorogued or during which both the Senate and House of Commons are adjourned for more than four days, resolve that it be annulled, it ceases to have effect, but without prejudice to its previous operation or anything duly done or suffered thereunder or any offence committed or any punishment incurred. R.S., c. U-3, s. 4.

SCHEDULE

(Section 2)

ARTICLE 41—The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

R.S., c. U-3, Sch.

supérieure —, laquelle peut établir les règles de procédure applicables à l'instance exercée devant elle ou l'un de ses juges. S.R., ch. U-3, art. 3; S.R., ch. 10(2e suppl.), art. 64.

Présentation au Parlement

4. (1) Les décrets ou règlements pris en application de la présente loi sont immédiatement déposés devant le Parlement ou, si celui-ci ne siège pas, dès l'ouverture de la session suivante.

Résolution de rejet

(2) Si le Sénat et la Chambre des communes, dans un délai de quarante jours à compter de la date de dépôt, déduction faite des périodes de dissolution ou de prorogation du Parlement ou d'ajournement simultané de plus de quatre jours des deux chambres, en décident l'annulation, le décret ou le règlement cesse d'avoir effet, sans préjudice toutefois de son application antérieure, l'annulation restant inopérante en ce qui concerne tout acte régulier en découlant, notamment en matière d'infractions et de peines. S.R., ch. U-3, art. 4; 1976-77, ch. 28, art. 49.

ANNEXE

(article 2)

ARTICLE 41 — Le Conseil de Sécurité peut décider quelles mesures n'impliquant pas l'emploi de la force armée doivent être prises pour donner effet à ses décisions et peut inviter les Membres des Nations Unies à appliquer ces mesures. Celles-ci peuvent comprendre l'interruption complète ou partielle des relations économiques et des communications ferroviaires, maritimes, aériennes, postales, télégraphiques, radio-électriques et des autres moyens de communication, ainsi que la rupture des relations diplomatiques.

S.R., ch. U-3, ann.

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OTTAWA, 1985.

APPENDIX II

90-725-01
(SOR/DORS)

REGULATIONS GIVING EFFECT TO A RESOLUTION OF THE SECURITY COUNCIL OF THE UNITED NATIONS CONCERNING IRAQ

Short Title

1. These Regulations may be cited as the United Nations Iraq Regulations.

Interpretation

2. In these Regulations,

"Canadian" means a person who is a citizen within the meaning of the Citizenship Act or a body corporate incorporated by or under the laws of Canada or a province; (Canadien)

"Canadian ship" has the same meaning as in the Canada Shipping Act; (navire canadien)

"credit" includes loans, overdrafts, letters of credit, guarantees, bankers' acceptances, credit insurance, and performance or payment bonds; (crédit)

"goods" includes commodities, articles or products of any kind but does not include medical supplies or food intended solely for humanitarian purposes; (biens)

"property" means any real or personal property; (propriété)

"security" means any share of a body corporate or any bond, debenture, note or other evidence of indebtedness. (titre)

Her Majesty

3. These Regulations are binding on Her Majesty in right of Canada or a province.

Prohibitions

4. (1) No person in Canada shall knowingly import into Canada any goods originating in Iraq or Kuwait that are exported therefrom after August 6, 1990.

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(2) No person in Canada and no Canadian outside Canada shall knowingly sell, supply, tranship or otherwise deal in, or attempt to sell, supply, tranship or otherwise deal in, any goods originating in Iraq or Kuwait that are exported therefrom after August 6, 1990.

(3) No person in Canada and no Canadian outside Canada shall knowingly do anything that causes, assists or promotes, or is intended to cause, assist or promote, any act or thing prohibited by subsections (1) and (2).

5. (1) No person in Canada shall knowingly export any goods to any person in Iraq or Kuwait.

(2) No person in Canada and no Canadian outside Canada shall knowingly sell or supply or attempt to sell or supply any goods that are outside Iraq or Kuwait to any person in Iraq or Kuwait.

(3) No person in Canada and no Canadian outside Canada shall knowingly do anything that causes, assists or promotes, or is intended to cause, assist or promote, any act or thing prohibited by subsections (1) and (2).

6. (1) No person in Canada and no Canadian outside Canada shall knowingly send, pay, transfer or remit, directly or indirectly, any money, cheques, bank deposits or other financial resources, or cause any money, cheques, bank deposits or other financial resources to be sent, paid, transferred or remitted, directly or indirectly, to any person in Iraq or Kuwait or to any other person on the direction or order of any person in Iraq or Kuwait.

(2) No person in Canada and no Canadian outside Canada shall knowingly send, transfer, remit or assign any money, cheques, bank deposits or other financial resources held by, on behalf of or on account of the Government of Iraq or Kuwait or any agencies of or bodies controlled by Iraq or Kuwait.

(3) No person in Canada and no Canadian outside Canada shall knowingly make available to or permit the use by the Government of Iraq or any commercial, industrial or public utility undertaking in Iraq or Kuwait of any funds, monetary resources, credit, extension of credit or deposit facilities.

(4) No person shall knowingly transfer, sell, assign, dispose of, export, endorse or guarantee the signature on any security held by, on behalf of or in the name of the Government of Iraq or Kuwait or any agencies of or bodies controlled by Iraq or Kuwait.

(5) No person shall knowingly transfer, pay for, export, dispose of or otherwise deal with any property or any interest in property held by the Government of Iraq or Kuwait or any agencies of or bodies controlled by Iraq or Kuwait.

7. No owner or master of a Canadian ship shall knowingly carry, or cause or permit to be carried, any goods

(a) originating in Iraq or Kuwait and exported therefrom after August 6, 1990; or

(b) destined for Iraq or Kuwait.

Offences

8. (1) Every person who contravenes any provision of these Regulations is guilty of an offence and liable

(a) on summary conviction, to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months, or to both; or

(b) on conviction on indictment, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding five years, or to both.

(2) Where an offence has been committed under these Regulations by a corporation, every officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is a party to and guilty of the offence and is liable on conviction to the punishment provided for the offence, whether or not the corporation has been prosecuted or convicted.

9. Notwithstanding sections 4 to 7, no person commits an offence under these Regulations by doing any act or thing prohibited by these Regulations if, before that person does that act or thing, the Secretary of State for External Affairs certifies in writing that, in the opinion of the Secretary of State for External Affairs,

(a) United Nations Security Council Resolution 661 (1990) of August 6, 1990 does not intend that such acts or things be prohibited; or

(b) such acts or things are for the purpose of assisting the legitimate Government of Kuwait.

UNITED
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Security Council

Distr.
GENERAL

S/21520
14 August 1990

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 AUGUST 1990 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Australia to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's note reference No. SCPC/7/90(1) dated 8 August 1990, has the honour to attach with the present Note advance information concerning measures taken by the Australian Government in accordance with the provisions of Security Council resolution 661 (1990).

The Permanent Representative understands that this information may assist the Secretary-General in the preparation of an interim report for consideration by the Committee of the Security Council which was established under paragraph 6 of Security Council resolution 661 (1990). He wishes further to advise that a final response by the Australian Government to the Secretary-General's Note will be made prior to 24 August.

Annex I

AUSTRALIAN SANCTIONS AGAINST IRAQ

Following is the text of a statement made by Mr. Duffy on 6 August on Australian sanctions against Iraq.

The Attorney-General and Acting Minister for Foreign Affairs and Trade, Michael Duffy, today announced a package of wide-ranging sanctions against Iraq.

Mr. Duffy said that the Iraqi invasion was a gross and indefensible violation of the United Nations Charter, and posed a most serious threat to the overall stability of the Middle East. Australia condemned the invasion unreservedly, and continued to call for the immediate and unconditional withdrawal of all Iraqi forces. Mr. Duffy said that the Australian Government is deeply disturbed as well by the threatening Iraqi deployments on the border with Saudi Arabia.

Mr. Duffy said that in response to Iraq's blatant and continuing aggression the Australian Government had decided to take action to impose the following sanctions against Iraq.

- An embargo on oil imports from Iraq and Kuwait.

- Steps to protect the interests and assets in Australia of the legitimate Government of Kuwait and to freeze any Iraqi assets which may exist in Australia.

- An embargo on the sale of defence related equipment to Iraq. In this context Mr. Duffy announced that the Government had decided to revoke with immediate effect an export licence for the sale of $A 850,000 of engine components to the Iraqi Air Force.

- The rejection of an Iraqi request to open an Iraqi Airways office in Sydney.

Mr. Duffy said that Australia would also refrain from any action which could be taken as implicit recognition of the Iraqi occupation of Kuwait.

Australia was prepared to implement and support a Security Council resolution on sanctions against Iraq if the Iraqi Government failed to heed calls for the immediate withdrawal of its forces from occupied Kuwait. The Government was following closely the deliberations of the United Nations Security Council.

Annex II

UNITED NATIONS SANCTIONS AGAINST IRAQ

The Attorney-General and Acting Minister for Foreign Affairs and Trade, Michael Duffy, said today that Australia supported fully the decision by the United Nations Security Council earlier today to impose comprehensive mandatory sanctions against Iraq and Kuwait. The sanctions will remain in place until Iraq complies with the Security Council's demand for the immediate and unconditional withdrawal of Iraqi forces from Kuwait.

Mr. Duffy said Australia would implement the Security Council's sanctions immediately. He noted that several of the United Nations measures had been anticipated by the Australian Government in his statement on 6 August concerning Australian sanctions against Iraq. Mr. Duffy said the United Nations sanctions prohibited

- The import into Australia of all commodities and products originating in Iraq or Kuwait

- Any activities by Australians or in Australia which would promote the export of commodities or products from Iraq or Kuwait

- Transfer of funds to Iraq or Kuwait for the purpose of such activity

- The sale or supply by Australians or from Australia of any commodities or products other than those intended strictly for medical purposes and, in humanitarian circumstances, foodstuffs to Iraq or Kuwait

- Any activities by Australians to promote sale or supply of such commodities or products to Iraq or Kuwait

- The movement out of Australia of Iraqi and Kuwaiti assets currently held in Australia.

Officials of several Government Departments met in Canberra today to arrange implementation of United Nations sanctions, Mr. Duffy said.

"Implementing these sanctions will have serious implications for Australia, but the Government believes that we and the international community have a duty to respond in this way to Iraq's invasion of Kuwait", he said.

Mr. Duffy added that Australia expected all countries to share equally the burden of implementing sanctions against Iraq.

Inquiries concerning the effects of the trade sanctions on Australian trade with the Middle East should be directed to the Department of Foreign Affairs and Trade.

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Annex III

SANCTIONS: AUSTRALIAN IMPLEMENTATION

Unlike the United States, the United Kingdom and Canada, Australia has no special legislation to implement United Nations sanctions.

- Regulatory powers under existing legislation have been used to take the following action:

- Defence exports

On Tuesday, 7 August, the Minister for Defence withdrew all permissions etc. under the Customs (prohibited exports) Regulations which will effectively block all exports of military related equipment to Iraq.

- This included the proposed sale by Hawker Havilland Australia of engine spare parts to the Iraqi Air Force ($A 850,000)

Exports/imports between Iraq/Kuwait and Australia

On Wednesday, 8 August, the Customs (prohibited export) Regulations and Customs (prohibited import) Regulations were amended to prohibit in effect movement direct and indirect of goods between Iraq/Kuwait and Australia. The regulatory scheme is similar for both imports and exports.

(A) Imports

Paragraph 3(A) of the United Nations Security Council resolution 661 requires Australia to prohibit the import of goods exported from Iraq/Kuwait after the date of its adoption, that is, 6 August 1990

- The new prohibited import regulation prohibits the import of goods from Iraq/Kuwait either directly or through third countries. Where there might be doubt about the origin of goods, the Minister for Foreign Affairs and Trade is given authority to certify that he has reasonable grounds to believe that the goods in question are of Iraq/Kuwait origin. The Minister for Foreign Affairs and Trade is also given authority to exempt goods from the prohibition on application and can delegate this authority.

- The regulation entered into force on 8 August.

(B) Exports

Paragraph 3(C) of United Nations Security Council resolution 661 requires Australia to take action to stop the supply of goods to Iraq/Kuwait except for medical purposes and, in "humanitarian circumstances", foodstuffs.

- The new prohibited export regulation prohibits the export of goods either directly or indirectly via third countries to Iraq/Kuwait.

- Like the import regulation, the export regulation given authority to the Minister for Foreign Affairs and Trade to certify the destination of goods and the right to make exemptions and delegate the latter.

- The regulation entered into force on 8 August.

Control of funds between Iraq/Kuwait and Australia

Paragraph 4 of United Nations Security Council resolution 661 requires Australia to prevent the flow of funds to Iraq or any undertaking of Iraq or Kuwait except for payments for medical or humanitarian purposes. Paragraph 9(C) of the resolution "calls upon" Australia to protect the assets of the legitimate Government of Kuwait and its agencies.

- We are giving effect to these obligations by utilizing the banking (foreign exchange) regulations.

- On 8 August the regulations were amended to enable the treasurer to give a direction to the Reserve Bank "to take into account Australia's relations with other countries and its obligation under international law".

Subsequently the treasurer wrote to the Governor of the Reserve Bank on 8 August directing him "to give effect to Australia's obligations under the Security Council resolution." On 9 August the Reserve Bank wrote to all authorized dealers of foreign exchange amending their authority along the following lines.

- The buying or selling of foreign currency and the taking or sending out of Australian currency by/or the payment to non-resident accounts in Australia of, the Governments of Iraq or Kuwait, their agencies or nationals is prohibited without the specific approval of the Reserve Bank. The Bank will approve transactions with the legitimate Government of Kuwait or where there is evidence of humanitarian need.

The Reserve Bank measures will not affect the normal activities of the Iraqi diplomatic mission in Australia.